

magistrate judge in Yakima, WA, since 1995. And before that he was a part-time magistrate judge from 1971 until 1991. With 28 years of experience on the Federal bench, elevating him to be a Federal district court judge is a natural step.

Lonny Suko's nomination is the result of the hard work of an eastern Washington-based judicial selection committee. The selection committee process was negotiated between the White House, Senator MURRAY, and myself. Six qualified members of the legal community in Eastern Washington selected by our local Members of Congress and by Senator MURRAY and myself put in long hours interviewing and selecting three qualified candidates to send to the President. The White House agreed with my judgment that Lonny Suko was the most qualified candidate for this position.

Prior to his full-time work as a U.S. magistrate judge, Lonny Suko was also a partner in the firm of Lyon, Weigand & Suko, where his career in private practice involved extensive representation of plaintiffs and defendants in civil litigation as well as extensive mediation experience. Though he has lived in Yakima for the past 30 years, Mr. Suko has connections throughout eastern Washington. He is originally from Spokane, graduated Phi Beta Kappa from Washington State University in Pullman, and started his legal career as a clerk to Judge Charles L. Powell, who was then the Chief Judge of the Eastern District of Washington in Spokane.

We wish Judge Suko well in his new position and have confidence that he will be an excellent addition to our distinguished Federal bench.

Mr. HATCH. Mr. President, I rise today in support of the nomination of Magistrate Judge Lonny R. Suko to be a U.S. District Court Judge for the Eastern District of Washington.

Judge Suko has been part of the Washington legal community for over three decades. After graduating from law school in 1968, Judge Suko clerked for the Honorable Charles L. Powell in the Eastern District of Washington. In 1969, he joined the Lyon Law Offices, where he served as associate, partner, and shareholder. As an attorney, Judge Suko litigated primarily civil matters.

In 1971, Judge Suko was appointed part-time United States magistrate judge, a position he held while practicing law full time until 1991 when the position was discontinued. In 1995, Judge Suko ascended to the bench once again when he was appointed as a full-time Federal Magistrate Judge for the United States District Court Eastern District of Washington. As a magistrate judge, Judge Suko presides over both criminal and civil matters.

Judge Suko has been rated unanimously well qualified by the American Bar Association, and enjoys bipartisan support. I am confident Judge Suko will make an excellent Federal judge. I commend President Bush for nomi-

nating him and urge my colleagues to join me in supporting this nomination.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, have the yeas and nays been ordered on this judicial nomination?

The PRESIDING OFFICER. They have not.

Mr. LOTT. I suggest that we move to the vote. Is there a prearranged time?

The PRESIDING OFFICER. The vote is to occur at 12:15.

Mr. LOTT. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Lonny R. Suko to be a United States District Judge for the Eastern District of Washington?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from New Hampshire (Mr. SUNUNU) is necessarily absent.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "aye".

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—94

Akaka	Craig	Kennedy
Alexander	Crapo	Kohl
Allard	Daschle	Kyl
Allen	Dayton	Landrieu
Baucus	DeWine	Lautenberg
Bayh	Dodd	Leahy
Bennett	Dole	Levin
Biden	Domenici	Lincoln
Bingaman	Dorgan	Lott
Bond	Durbin	Lugar
Boxer	Ensign	McCain
Breaux	Enzi	McConnell
Brownback	Feingold	Mikulski
Bunning	Feinstein	Murkowski
Burns	Fitzgerald	Murray
Byrd	Frist	Nelson (FL)
Campbell	Graham (SC)	Nelson (NE)
Cantwell	Grassley	Nickles
Carper	Gregg	Pryor
Chafee	Hagel	Reed
Chambliss	Harkin	Reid
Clinton	Hatch	Roberts
Cochran	Hollings	Rockefeller
Coleman	Hutchison	Santorum
Collins	Inhofe	Sarbanes
Conrad	Inouye	Schumer
Cornyn	Jeffords	Sessions
Corzine	Johnson	Shelby

Smith  
Snowe  
Specter  
Stabenow

Stevens  
Talent  
Thomas  
Voinovich

Warner  
Wyden

NOT VOTING—6

Edwards  
Graham (FL)

Kerry  
Lieberman

Miller  
Sununu

The nomination was confirmed.

Mrs. MURRAY. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative action.

## RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. ALLARD).

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2004—Continued

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, Senator BYRD is still occupied in the caucus. It has not terminated yet. I don't think this will in any way offend the two managers of the bill. I ask unanimous consent that the Senator from South Dakota be recognized for 20 minutes and following that Senator BYRD will be recognized. The order now in effect would have Senator BYRD recognized at 2:15. He will be recognized at 2:35; Senator JOHNSON will speak now for 20 minutes. I ask unanimous consent that that be the case.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Dakota.

Mr. JOHNSON. Mr. President, I approach the current Department of Defense appropriations bill and our current status in Iraq and the Middle East from somewhat of a unique circumstance: as a Senator but also the father of a soldier who has served in Iraq. My oldest son Brooks, a staff sergeant with the 101st Airborne Infantry over the past roughly 5 years, has now served in four wars—in Bosnia, Kosovo, Afghanistan, and most recently Iraq. I appreciate profoundly how much our Nation owes to our military. These young men and women are professional. They are skilled. They are courageous. They are taking on a job few other Americans would want to do for any amount of compensation. We can take great pride in America that our military is the finest in the world.